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Attorney Do No. Patent 032013-117

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Suzy Charbit et al.

Application No.: 10/522,035

Filing Date: January 21, 2005

Title: USE OF A RHEIN IN A THERAPEUTIC TREATMENT REQUIRING AN INCREASE IN HEME OXYGENASE LEVELS

Group Art Unit:

Examiner:

Confirmation No.: 1518

FIRST
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a FIRST Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL PC

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Alexandria, Virginia 22313-1404
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Date: October 5, 2005

By


E. Joseph Gess

Registration No. 28,510

Buchanan Ingersoll PC
ATTORNEYS

Including attorneys from Burns Doane Swecker & Mathis

(8/05)

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In re Patent Application of:

Suzy Charbit et al.

Application No.: 10/522,033

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For: USE OF A RHEIN IN A THERAPEUTIC
TREATMENT REQUIRING AN
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Group Art Unit:

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FIRST INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

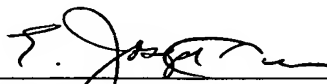
To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date October 5, 2005

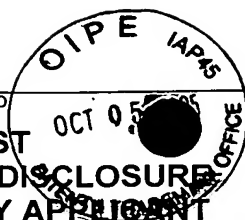
By:


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Buchanan Ingersoll PC
ATTORNEYS

including attorneys from Burns Doane Swecker & Mathis



FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if known

Application Number 10/511,335
 Filing Date January 21, 2005
 First Named Inventor Suzy Charbit et al.
 Examiner Name
 Attorney Docket Number 032013-117

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	4,244,968		Friedmann	01-13-1981

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec
	0822178		Europe	02-04-1998				X			
	0990441		Europe	04-05-2000				X			
	1266660		Europe	12-18-2002				X			
	0012118		PCT	03-09-2000				X			
	0036113		PCT	06-22-2000				X			
	02058681		PCT	08-01-2002				X		X	
	0222119		PCT	03-21-2002				X		X	
	9609038		PCT	03-28-1996				X			
	9630034		PCT	10-03-1996				X			
	9846633		PCT	10-22-1998				X			

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	Tamura et al., "Pharmacological Studies of Diacerein in Animal Models of Inflammation, Arthritis and Bone Resorption", European Journal of Pharmacology, Vol. 448, no. 1, (2002), Netherlands, pp. 81-87.
	Tamura et al., "Effect of Diacerein on Spontaneous Polyarthritis in Mail New Zealand Black/KN Mice", Osteoarthritis and Cartilage, Vol. 7, no. 6, (1999), England, pp. 533-538.
	Moore et al., "Effectis of Diacerhein on Granuloma Induced Cartilage Breakdown in the Mouse", Osteoarthritis and Cartilage, Vol. 6, no. 1, (1998), England, pp. 19-23.
	Stephen M. Keyse and Rex M. Tyrrell, "Heme Oxygenase is the Major 32-kDa Stress Protein Induced in Human Skin Fibroblasts by UVA Radiation, Hydrogen Peroxide, and Sodium Arsenite", Vol. 86, No. 1, (1989), United States, pp. 99-103.

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

**FIRST
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

Application Number	10/500005
Filing Date	January 21, 2005
First Named Inventor	Suzy Charbit et al.
Examiner Name	
Attorney Docket Number	032013-117

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	Malterud et al., "Antioxidant and Radical Scavenging Effects of Anthraquinones and Anthrones", Vol. 47, Suppl 1, (1993), Switzerland, pp. 77-85.
	Lu et al., "Biochemical Study of Chinese Rhubarb. XXX. Immunosuppressive Effects of Anthraquinone Derivatives", Vol. 20, no. 4, (1989), China pp. 223-226 (Abstract).
	Tamura et al., "Diacerein Suppresses the Increase in Plasma Nitric Oxide in Rat Adjuvant-Induced Arthritis", Vol. 419, no. 2-3, (2001) Netherlands, pp. 269-274 (Abstract).
	Guo Mei-Zi et al., "Rhein Inhibits Liver Fibrosis Induced by Carbon Tetrachloride in Rats", Vol. 23, no. 8, (2002), China, pp. 739-744 (Abstract).
	Saleh et al., "Effects of Anti-Inflammatory Drugs Upon Nitrate and Myeloperoxidase Levels in the Mouse Pleurisy Induced by Carrageenan", Vol. 20, no. 8, (1999) Bethesda, MD, US, pp. 949-956 (Abstract).
	Mian et al., "Rhein: An Anthraquinone that Modulates Superoxide Anion Production from Human Neutrophils", Vol. 39, no. 10, (1987), England, pp. 845-847 (Abstract).
	Derwent Publications Ltd., London, GB, (1991), XP002265690 (Abstract)
	Derwent Publications Ltd., London, GB (2000), XP002265691 (Abstract)
	Derwent Publications Ltd., London, GB (1998), XP002265692 (Abstract)

Examiner
SignatureDate
Considered

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